

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

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216 JAMAICA AVENUE, LLC, ) Civil Action No. 06-1288  
Plaintiff, ) (Judge Boyko)  
v. )  
S & R PLAYHOUSE REALTY CO., )  
Defendant. )  
\_\_\_\_\_  
)

**MOTION OF PLAINTIFF 216 JAMAICA AVENUE LLC FOR  
SUMMARY JUDGMENT AND REQUEST FOR ORAL ARGUMENT**

For the reasons stated in the accompanying Memorandum, Plaintiff, 216 Jamaica Avenue LLC, respectfully moves the Court under FEDERAL RULE OF CIVIL PROCEDURE 56(a) for summary judgment and respectfully requests oral argument on this matter pursuant to LOCAL RULE 7.2(b).

October 12, 2006

Respectfully Submitted,

/s/ Charles J. Cooper

James B. Niehaus (0020128)  
jniehaus@frantzward.com  
Christopher G. Keim (0067117)  
ckeim@frantzward.com  
FRANTZ WARD LLP  
2500 Key Center  
127 Public Square  
Cleveland, Ohio 44114-1230  
216-515-1660  
216-515-1650 (fax)

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Charles J. Cooper  
ccooper@cooperkirk.com  
David H. Thompson  
dthompson@cooperkirk.com  
David Lehn  
dlehn@cooperkirk.com  
COOPER & KIRK, PLLC  
555 Eleventh Street NW  
Suite 750  
Washington, DC 20004  
(202) 220-9600  
(202) 220-9601 (fax)

*Attorneys for Plaintiff*

## **CERTIFICATE OF SERVICE**

I hereby certify on October 12, 2006, a copy of the foregoing Motion of Plaintiff 216 Jamaica Avenue LLC for Summary Judgment and Request for Oral Argument was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this through the Court's system.

/s/ Charles J. Cooper

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Charles J. Cooper  
COOPER & KIRK, PLLC  
555 Eleventh Street NW  
Suite 750  
Washington, DC 20004  
(202) 220-9600  
(202) 220-9601 (fax)  
ccooper@cooperkirk.com